

MEMORANDUM

Agenda Item No. 8(F)(1)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

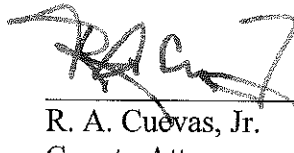
DATE: January 23, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution declaring surplus
County-owned real property
located at the southwest corner
of NW 54 Street and NW 27
Avenue, acquired with
Community Development
Block Grant funds; authorizing
the public sale of same to the
highest bidder

This item differs from the original version as stated in the County Mayor's memorandum.

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: January 23, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in dark ink, appearing to read "Carlos A. Gimenez".

Subject: Resolution Declaring Surplus County-Owned Real Property Located at the Southwest Corner of NW 54 Street and NW 27 Avenue, Unincorporated Miami-Dade County, Florida - Folio No. 30-3121-057-0190

This substitute item differs from the original in that the Fiscal Impact Section of this transmittal memorandum and the body of the Resolution have been updated to reflect the correct legal language for the proceeds of property sales that involve CDBG funding.

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution which authorizes the following actions:

- Declares a 73,616 square foot (1.69 acre) County-owned parcel, located at the southwest corner of NW 54 Street and NW 27 Avenue in unincorporated Miami-Dade County as surplus; and
- Authorizes the property to be sold to the highest bidder through the County's competitive bidding process at a minimum bid amount of \$1,030,000, as determined in the attached certified appraisal by T.F. Magenheimer Appraisal, Inc.

SCOPE

The property is located in Commission District 3.

FISCAL IMPACT/FUNDING SOURCE

The sale of this property will eliminate the County's obligation to maintain the property, which costs approximately \$1,500 per year, and will place the property back on the tax roll, generating approximately \$19,069 in annual ad valorem taxes. The proceeds of the sale (minus any portion of the value of the property attributable to the expenditure of non-CDBG funds for acquisition or improvement of the property) will be returned to the County's CDBG account for use on CDBG-eligible activities.

TRACK RECORD/MONITOR

Shannon Clark of the Real Estate Development Division in the Internal Services Department is managing the sale of this property.

DELEGATION OF AUTHORITY

Authorizes the County Mayor or the County Mayor's designee to sell the property via sealed bid to the highest bidder, take all actions necessary to accomplish the sale of the property, and authorizes the Chairperson or Vice Chairperson of the Board to execute a County Deed for such purpose.

BACKGROUND

The subject property, located in unincorporated Miami-Dade County, is unimproved and zoned Model City Community Center District. The County's Public Housing and Community Development Department no longer has a use for this property and has received inquiries from national businesses regarding the possible purchase and development of this parcel. As such, Public Housing and Community Development requested that the Internal Services Department initiate the necessary steps for sale of the property. As required, the Internal Services Department circulated the property to all County departments to determine whether the County has a present or future need for the property, in which none was determined. T.F. Magenheimer Appraisal, Inc., an independent State of Florida certified

appraiser, valued the property at \$1,030,000 as of June 10, 2012 (see attached appraisal). If approved by the Board for surplus, the property will be put out to bid with a minimum bid amount of \$1,030,000. The Planning Advisory Board, at their August 20, 2012 meeting, recommended that the parcel be declared surplus and made available for sale.

The property was purchased under the Neighborhood Development Program of 1970 and has been maintained with CDBG funds. Therefore, any future use of this property must meet the CDBG national objective.

Additional property details are as follows, and, shown in the attached property map:

FOLIO NUMBER: 30-3121-057-0190

LOCATION: Southwest corner of NW 54 Street and NW 27 Avenue,
Unincorporated Miami-Dade County, FL

PROPERTY SIZE: 73,616 Square Feet, or 1.69 Acres

ZONING: The property is zoned Model City Community Urban Center District (MCUCD)

Attachment


Edward Marquez
Deputy Mayor




MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 23, 2013

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(1).

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)
1-23-13

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NW 54 STREET AND NW 27 AVENUE, UNINCORPORATED MIAMI-DADE COUNTY, ACQUIRED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, for the property described in the accompanying County Deed, copy of which is incorporated herein by reference; and

WHEREAS, pursuant to Section 125.35(1) of the Florida Statutes, the Board has determined that it is in the best interest of the County to sell County-owned real property located at the southwest corner of NW 54 Street and NW 27 Avenue, Unincorporated Miami-Dade County, to the highest bidder. The Planning Advisory Board, at their August 20, 2012 meeting, recommended that the parcel be declared surplus and made available for sale,

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Pursuant to Section 125.35(1) of the Florida Statutes, this Board hereby declares surplus County-owned real property located at the southwest corner of NW 54 Street

and NW 27 Avenue, Miami-Dade County, which was acquired by the County using Community Development Block Grant (CDBG) funds; authorizes the sale to the highest bidder via competitive bidding for no less than \$1,030,000.00; authorizes the County Mayor or the Mayor's designee to take all actions necessary to accomplish the sale of said real property, legally described in the aforementioned County Deed and to reimburse the County's CDBG account with the proceeds of the sale >>[<<¹ minus any portion >>of the value of the property<< attributable to ~~[[a contribution of non-CDBG funds]]~~ >>the expenditure of non-CDBG funds for the acquisition or improvement of the property) for use on CDBG-eligible activities<<; and authorizes the execution of said County Deed by the Board of County Commissioners acting by the Chairperson or Vice Chairperson of the Board.

Section 3. Pursuant to Resolution No. R-974-09, the Board directs the County Mayor or the Mayor's designee to record the instrument of conveyance accepted herein in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution.

The foregoing resolution was offered by Commissioner ,
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

¹ The differences between the substitute and the original are indicated as follows: words stricken and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of January, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GBK

Geri Bonzon-Keenan

Instrument prepared by and returned to:
Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio No. 30-3121-057-0190

COUNTY DEED

THIS DEED, made this _____ day of _____, 2012 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 NW 1 Street Suite 17-202, Miami, Florida 33128-1963, and _____, party of the second part, whose address is: _____, Florida.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of _____ Dollars (\$_____.00) and other good and valuable considerations, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

Tract A, in PHOENIX HOMES, according to the Plat thereof, as recorded in Plat Book 138, Page 9 on December 12, 1989, in the Public Records of Miami-Dade County, Florida.

This grant conveys only the interest of the County and its Board of County Commissioners in the land herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Joe A. Martinez, Chairman

Approved for legal sufficiency: _____

The foregoing was authorized by Resolution No. R-
Commissioners of Miami-Dade County, Florida, on the _____ day of

approved by the Board of County
, 2012.

CERTIFICATION OF VALUE

The undersigned hereby certifies that, to the best of my knowledge and belief:

- (A) The statements of fact contained in the report are true and correct.
- (B) The reported analyses, opinions and conclusions are limited only by the assumptions and limiting conditions set forth, and are my personal, unbiased professional analyses, opinions and conclusions.
- (C) I have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
- (D) I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- (E) My engagement in this assignment is not contingent upon developing or reporting predetermined results.
- (F) The appraiser's compensation for completing this assignment is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal. Furthermore, the appraisal assignment is not based on a requested minimum valuation, a specific valuation or the approval of a loan.
- (G) The appraiser's analyses, opinions and conclusions are developed, and this report is prepared, in conformity with the Uniform Standards of Professional Appraisal Practice, and the requirements of the State of Florida for state-certified appraisers.
- (H) Use of this report is subject to the requirements of the State of Florida relating to review by the Real Estate Appraisal Subcommittee of the Florida Real Estate Commission.
- (I) Thomas F. Magenheimer has made a personal inspection of the property that is the subject of this report.
- (J) No one provided significant professional assistance to the person signing this report.

T.F. MAGENHEIMER APPRAISAL, INC.

- (K) The reported analyses, opinions, and conclusions are developed, and this report is prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- (L) The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- (M) The undersigned has not performed appraisal services concerning the subject property during the past three years.

As of the date of this report, Thomas F. Magenheimer has completed the requirements under the continuing education program for The Appraisal Institute.

Based on the inspection of the property and the investigation and analyses undertaken, subject to the assumptions and limiting conditions set forth in the Addendum of this report, I have formed the opinion, as of June 10, 2012 the subject property had a Market Value of:

ONE MILLION THIRTY THOUSAND DOLLARS

\$1,030,000

Thomas F. Magenheimer

THOMAS F. MAGENHEIMER, MAI
State-Certified General Appraiser
Certification Number: RZ0000553

T.F. MAGENHEIMER APPRAISAL, INC.

miamidade.gov

[illegible]

0 129 ft

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Folio No.:	30-3121-057-0190
Property:	
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Primary Zone:	6600 COMMERCIAL - LIBERAL
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	73,616 SQ FT
Year Built:	0
Legal Description:	PHOENIX HOMES PB 138-9 LOT TR BLK A LOT SIZE 1.69 AC M/L 30-3121-035-0110

Year:	2012	2011
Land Value:	\$588,928	\$588,928
Building Value:	\$0	\$0
Market Value:	\$588,928	\$588,928
Assessed Value:	\$588,928	\$588,928

Year:	2012	2011
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$588,928/\$0	\$588,928/\$0
County:	\$588,928/\$0	\$588,928/\$0
School Board:	\$588,928/\$0	\$588,928/\$0



Close



PUBLIC HEARING

PUBLIC HEARING NOTICE DATE to declare one parcel of vacant land acquired with Community Development Block Grant program funds, as surplus is scheduled to go before the Infrastructure and Land Use Committee on December 12, 2012, at 2:00 pm, in the Board of County Commissioners Chambers located on the second level of the Stephen P. Clark Center, 111 NW 1st Street, Miami, Florida. The property will be sold to the highest bidder and will be released from the restrictions of the Community Development Block Grant Program. The property is as follows:

Declaration of Surplus Property Purchased with CDBG Funds		
District	Property Address/Location	Roll#
3	Southwest Corner of NW 54 Street and NW 27 Avenue, Unincorporated Miami-Dade County	30-3121-057-0190

Public Housing and Community Development does not discriminate based on race, sex, color, religion, marital status, national origin, disability, ancestry, sexual orientation, age, pregnancy or familial status in the access to, admissions to, or employment in housing programs or activities. If you need a sign language interpreter or materials in accessible format for this event, call 786-469-4229 at least five days in advance. TDD/TTY users may contact the Florida Relay Service at 800-955-8771.

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